

**IMPORTANT NOTICE ABOUT YOUR RIGHT  
TO JOIN A LAWSUIT SEEKING TO RECOVER  
UNPAID OVERTIME WAGES FROM RENAISSANCE EQUITY HOLDINGS, LLC,  
CLIPPER EQUITY, LLC, MY GUARD SECURITY CORP., DAVID BISTRICER,  
RAFAEL GARCIA, MARC ANTHONY GARCIA, AND JOHN MURPHY.**

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**TO: ALL CURRENT OR FORMER SECURITY EMPLOYEES WHO HAVE  
PATROLLED THE PREMISES OF THE FLATBUSH GARDENS  
RESIDENTIAL COMPLEX SINCE [THREE YEARS FROM DATE OF  
NOTICE]**

**RE: YOUR RIGHT TO JOIN A LAWSUIT SEEKING TO RECOVER UNPAID  
OVERTIME COMPENSATION**

**DATE: [DATE OF NOTICE]**

**1. WHY YOU ARE GETTING THIS NOTICE**

This Notice is to tell you that there is a lawsuit you may be able to join because you might be “similarly situated” to the named Plaintiffs. This notice is to tell you how your overtime rights under the Fair Labor Standards Act may be affected by this lawsuit. This notice will also tell you how to join the lawsuit if you think you are entitled to back overtime payments and want to participate.

**2. DESCRIPTION OF THE LAWSUIT**

A lawsuit has been brought by Plaintiffs Amado S. Pla, Kevin Joseph, and Yishmael Levi against Defendants **Renaissance Equity Holdings, LLC, Clipper Equity LLC, My Guard Security Corp., David Bistricher, Rafael Garcia, Marc Anthony Garcia, and John Murphy** in the United States District Court for the Southern District of New York in Manhattan (the case number is 12 CV 5268 (JMF)).

The Plaintiffs worked for, on behalf of, or under the supervision of the Defendants as security employees within the Flatbush Gardens Residential Complex. In their lawsuit, they claim that Defendants did not pay overtime compensation to them or any other security employees when they worked more than 40 hours in a week, and in fact had a policy of refusing to consider paying overtime compensation to such employees for hours worked in excess of 40 hours a week.

Plaintiff's lawyers in this case are:

Walker G. Harman, Jr.  
Peter J. Andrews  
The Harman Firm, PC  
200 West 57th Street, Suite 900  
New York, New York 10019  
Telephone: (212) 425-2600  
Fax: (212) 202-3926  
flsa@theharmanfirm.com

Federal overtime laws require that, when someone works more than 40 hours per week, their employer must pay them one and a half times their regular hourly pay rate for every hour over 40 in a week, unless that employee is properly classified as "exempt" from the overtime provisions of the Act.

The security employees who are the lead Plaintiffs in the lawsuit claim that during their employment with, on behalf of, or under the supervision of the Defendants, they often worked more than 40 hours per week, but were not paid overtime at the rate of one and one-half times the hourly rate for the hours they worked in excess of 40. Plaintiffs are suing the Defendants under federal law for overtime pay. They are also asking for "liquidated damages" under the federal law (double the amount of allegedly unpaid wages) and attorneys' fees.

### **3. WHO CAN JOIN THE LAWSUIT**

The lead Plaintiffs are suing on their own behalf as well as on behalf of other employees that are similar situated. Current and former security employees patrolling the Flatbush Gardens residential complex at any time from [SIX YEARS FROM DATE OF NOTICE] to the present are eligible to join the lawsuit.

This notice is to locate persons who wish to join this case and are eligible to join this case and has no other purpose. Your right to participate in this suit may depend upon a later decision by the federal court that you and the representative Plaintiff are "similarly situated."

### **4. YOU RIGHT TO JOIN THE LAWSUIT**

If you fit the definition above, that is, if you are a current or former security employee patrolling the Flatbush Gardens residential complex at any time between [SIX YEARS FROM DATE OF NOTICE] to the present, you may have the right to participate in this lawsuit.

## **5. HOW TO JOIN THIS LAWSUIT**

Enclosed is a postcard "Consent Form." If you want to join this lawsuit, and want to share in any money damages that may be won, it is extremely important that you read, sign, and return the Consent Form. The Consent Form is pre-addressed and postage paid for your convenience. Should the enclosed Consent form be lost or misplaced, please contact Plaintiff's lawyers. If you have any questions about filling out or sending in the Consent Form, you may contact the Plaintiff's lawyers:

Walker G. Harman, Jr.  
Peter J. Andrews  
The Harman Firm, PC  
200 West 57th Street, Suite 900  
New York, New York 10019  
Telephone: (212) 425-2600  
Fax: (212) 202-3926  
flsa@thearmanfirm.com

## **6. NO RETALIATION IS ALLOWED**

It is a violation of federal law for the any of the Defendants or any of their related entities to fire, discipline, or in any manner discriminate or retaliate against you for taking part in this case. If you believe that you have been penalized, discriminated against, or disciplined in any way as a result of your receiving this notification, considering whether to join this lawsuit, or actually joining this lawsuit, you may contact Plaintiff's lawyers or any other lawyers of your choosing.

## **7. EFFECT OF JOINING THIS LAWSUIT**

If you choose to join this lawsuit, you will be bound by the judgment, whether it is favorable or unfavorable. You will also be bound by, and will share in, any settlement that may be reached on behalf of the class. In other words, if you join this lawsuit, it will determine your rights.

## **8. NO LEGAL EFFECT IN NOT JOINING THIS SUIT**

If you chose not to join this lawsuit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. You will not be entitled to share in any amounts recovered by the class. You will be free to file your own lawsuit. However, the pendency of this suit will not stop the running of the statute of limitations as to any claim you might have until you opt-in to it. In other words, you may lose some or all of your rights if you do not act now.

## **9. FURTHER INFORMATION**

Further information about this notification of the lawsuit may be obtained from Plaintiff's lawyers at:

Walker G. Harman, Jr.  
Peter J. Andrews  
The Harman Firm, PC  
200 West 57th Street, Suite 900  
New York, New York 10019  
Telephone: (212) 425-2600  
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**THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, HON. JESSE M. FURMAN, UNITED STATES DISTRICT JUDGE. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR THE DEFENDANTS' DEFENSES.**